

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

TRENDTEX FABRICS, LTD.,) CIVIL NO.: 1:22-cv-00287-LEK-KJM
)
Plaintiff,) DEFENDANT SHAKA TIME, INC.'S
) CROSS-CLAIM AGAINST
vs.) DEFENDANTS NTKN, INC., HUNG
) KY AND TROPIHOLIC, INC.
NTKN, INC., a Hawaii corporation;)
HUNG KY, an individual; SHAKA)
TIME, INC., a Hawaii corporation;)
TROPIHOLIC, INC., a Florida)
corporation,)
)
Defendants.)
)

**DEFENDANT SHAKA TIME, INC.'S CROSS-CLAIM AGAINST
DEFENDANTS NTKN, INC., HUNG KY AND TROPIHOLIC, INC.**

Comes now Defendant SHAKA TIME, INC. (herein referred to as “Defendant SHAKA TIME”), and for a Cross-claim against Defendants NTKN, INC., HUNG KY and TROPIHOLIC, INC. (herein “Other Defendants”) alleges as follows:

1. Plaintiff filed a First Amended Complaint against all Defendants for injuries and damages allegedly arising out of Defendants’ negligence, fault, liability and/or breach of other legal duty or duties.

2. If Plaintiff is injured and damaged as alleged in the First Amended Complaint, such injury and damage was caused or proximately resulted from the negligence, breach of duty, strict liability, or other wrongful act or omission of Other Defendants and Defendant SHAKA TIME is in no way at fault or liable therefor.

3. If Defendant SHAKA TIME is held liable to Plaintiff, Other Defendants are liable to Defendant SHAKA TIME for the above said wrongful acts.

4. If any judgment is rendered against Defendant SHAKA TIME, Defendant SHAKA TIME is entitled to reimbursement, contribution and/or indemnity from Other Defendants.

WHEREFORE, Defendant SHAKA TIME prays for judgment as follows:

A. If it is determined that Plaintiff has judgment against Defendant SHAKA TIME, that Defendant SHAKA TIME have judgment, jointly and severally, over and against Other Defendants.

B. If Defendant SHAKA TIME and Other Defendants are deemed to be joint tortfeasors, that the relative degree of fault of each be determined and Defendant SHAKA TIME has judgment, jointly and severally,

against Other Defendants for any amount over and above Defendant SHAKA TIME's pro rata share of such judgment.

C. That Defendant SHAKA TIME has judgment, jointly and severally, against Other Defendants for reimbursement, contribution and/or indemnity.

D. That the Court award Defendant SHAKA TIME costs and attorney's fees.

E. For such other relief as the Court deems just and equitable in the circumstances.

DATED: Honolulu, Hawaii, August 26, 2022.

/s/ Randall Y. Yamamoto

RANDALL Y. YAMAMOTO
Attorney for Defendant
SHAKA TIME, INC.